

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA  
8

9 JOSEPH HAROLD MUECK AVALON,

Case No. 2:21-cv-02051-NJK

10 Plaintiff,

**Order**

11 v.

[Docket No. 1]

12 COMMISSIONER OF SOCIAL SECURITY,

13 Defendant.

14 Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*  
15 (Docket No. 1), and has submitted a Complaint (Docket No. 1-1).

16 **I. Application to Proceed *In Forma Pauperis***

17 Plaintiff filed an application to proceed *in forma pauperis*. Docket No. 1. The application  
18 has sufficiently shown an inability to prepay fees and costs or give security for them. Accordingly,  
19 the application to proceed *in forma pauperis* will be granted pursuant to § 1915. The Court will  
20 now review Plaintiff's complaint.

21 **II. Screening the Complaint**

22 When a party seeks permission to pursue a civil case *in forma pauperis*, courts will screen  
23 the complaint. *See* 28 U.S.C. § 1915(e). However, papers filed with the Court must first comply  
24 with the Court's formatting guidelines. *See* Local Rule IA 10-1(a). Compliance with the Court's  
25 local filing guidelines is required for the Court to consider the underlying pleading. The complaint  
26 fails to comply with these requirements. *See* Docket No. 1-1; Local Rule IA 10-1(a)(1).

27 . . . .

28 . . . .

1 **III. Conclusion**

2 Accordingly, the Court hereby **ORDERS** as follows:

- 3 1. Plaintiff's request to proceed *in forma pauperis* is **GRANTED** with the caveat that the  
4 fees shall be paid if recovery is made. At this time, Plaintiff shall not be required to  
5 pre-pay the filing fee.
- 6 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of  
7 prepayment of any additional fees or costs or the giving of a security therefor. The  
8 Order granting leave to proceed *in forma pauperis* shall not extend to the issuance of  
9 subpoenas at government expense.
- 10 3. The complaint is **DISMISSED** without prejudice for violating Local Rule IA 10-  
11 1(a)(1). Plaintiff must file his amended complaint in compliance with the Court's Local  
12 Rules no later than **November 30, 2021**.

13 IT IS SO ORDERED.

14 Dated: November 16, 2021

15   
16 \_\_\_\_\_  
17 Nancy J. Koppe  
18 United States Magistrate Judge  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28